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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/762,581	04/02/2001	Takashi Aramaki	L9289.01110P	5737

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Stevens Davis Miller & Mosher  
1615 L Street N W Suite 850  
Washington, DC 20036

EXAMINER
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D AGOSTA, STEPHEN M

ART UNIT	PAPER NUMBER
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2683

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DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/762,581

**Applicant(s)**

ARAMAKI ET AL.

**Examiner**

Stephen M. D'Agosta

**Art Unit**

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

## DETAILED ACTION

### *Priority*

It is noted that this application appears to claim subject matter disclosed in prior Application No. PCT/JP00/03704, filed 6-8-2000. A reference to the prior application must be inserted as the first sentence of the specification of this application or in an application data sheet (37 CFR 1.76), if applicant intends to rely on the filing date of the prior application under 35 U.S.C. 119(e) or 120. See 37 CFR 1.78(a). For benefit claims under 35 U.S.C. 120, the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of all nonprovisional applications. Also, the current status of all nonprovisional parent applications referenced should be included.

### *Drawings*

The drawings were received on 4-2-2001 and have been reviewed by the draftsman and examiner.

### *Information Disclosure Statement*

The two information disclosure statements (IDS) submitted on 5-16-01 and 11-26-01 are in compliance and are being considered by the examiner.

### *Claim Objections*

**Claims 2 and 9** objected to because of the following informalities: These claims state once it is determined that there is no unused NET ID available, an extension is assigned to an unused NET ID. The examiner is confused by this claim language. The examiner interprets it as meaning that if no NET ID's are available, the extension bit is added to create a new unique NET ID from the old "already used" NET ID's:

For example: If 3 bits are used, then only 8 possible NET ID's exist, 000 to 111.

Hence, when the 3-bit NET ID range is fully used, the new "extended NET ID" range would be 0000 to 1111. Appropriate correction is required.

Failure to correct this will result in a USC 112 rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 3-4, 6-8 and 10** rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmadi et al. US 6,597,671 and further in view of Rode US 6,157,818 (hereafter Ahmadi and Rode).

As per **claims 1 and 6-8**, Ahmadi teaches a base station apparatus and/or network identifier assignment method (figures 1 and 1a, #26 or 28 and C12, L33-45 and figures 9, 11 – see “base station ID” and “network ID”) comprising:

NET UD assigning means for assigning an unused NET ID as the NET ID of the own station based (C8, L47-49 and C12, L33-45) and overlapping areas (C12, L40-45)

**But is silent on** investigating means for investigating network identifiers (NET ID) of existing base stations having overlapping communication network service areas.

Ahmadi teaches a MANUAL process whereby the network operator assigns “static” NET ID’s to each base station.

Rode teaches a communication system having automatic addressing (title and abstract and C2, L29 to C5, L16). One skilled in the art would provide for automatic “dynamic” addressing capability (eg. per Rode and/or per DHCP for TCP/IP Addressing).

**With further regard to claim 6**, Ahmadi teaches communication terminal apparatus (figures 1 and 1a, #10, 12, 14 and 16 are remote stations with transceivers).

**With further regard to claim 7**, Ahmadi teaches transmission/reception means via wired/wireless means (figures 1 and 1a) **but is silent on** periodic transmission of NET ID information. As discussed above, Rode and DHCP disclose transmission of

NET ID addressing data periodically as users are added/removed or when the network topology changes.

***With further regard to claim 8***, Ahmadi teaches a network identifier assignment method (C12, L33-45 and figure 6 )

It would have been obvious to one skilled in the art at the time of the invention to modify Ahmadi, such that investigating means is used, to provide for automatic and dynamic assignment of NET ID's so a network operator does not have to worry about this task when base stations are added/removed or as the network topology changes.

As per **claim 3**, Ahmadi in view of Rode teaches claim 1 further comprising a table that correlates communication networks with NET ID's (see Table 2, Column 16 which teaches correlation between NET ID, Base Station name and (routing) "distance" and also C15, L60 to C16, L59).

As per **claims 4 and 10**, Ahmadi in view of Rode teaches claim 1/8 **but is silent on** wherein said investigation means conducts investigation based on NET ID information sent from existing base stations.

Since Ahmadi teaches a fixed/static address set by the network operator, there is no need for the base stations to communicate since the NET ID's never change.

Rode teaches a communication system having automatic addressing (title and abstract). One skilled in the art would provide for automatic "dynamic" addressing capability (per Rode and/or DHCP for TCP/IP Addressing). Hence, if/when network conditions causes a change in the network topology, either network controller would have to re-address some/all base stations OR said base stations would have to communicate address information amongst themselves directly.

It would have been obvious to one skilled in the art at the time of the invention to modify Ahmadi in view of Rode, such that NET ID information is sent from existing base stations, to mitigate a single-point of failure if only a single computer is providing NET ID addressing information to the entire network.

**Claims 2, 5, 9 and 11** rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmadi in view of Rode and further in view of Kakushi JP-08107414A.

As per **claims 2 and 9**, Ahmadi in view of Rode teaches a base station apparatus and/or a network identifier assignment method (figures 1 and 1a, #26 or 28 and C12, L33-45 and figures 9, 11 – see “base station ID” and “network ID”) comprising:

NET UD assigning means for assigning an unused NET ID as the NET ID of the own station based (C8, L47-49 and C12, L33-45) and overlapping areas (C12, L40-45)

**But is silent on** Investigating means for investigating network identifiers (NET ID) of existing base stations having overlapping communication network service areas AND setting means for setting an extension identifier when said result shows there is no unused NET ID's and extending the number of bits assigned to the NET ID.

Ahmadi teaches a MANUAL process whereby the network operator assigns “static” NET ID's to each base station.

Rode teaches a communication system having automatic addressing (title and abstract). One skilled in the art would provide for automatic “dynamic” addressing capability (per Rode and/or per DHCP for TCP/IP Addressing).

Kakushi teaches extending the MAC address (eg. NET ID) by one bit (abstract).

It would have been obvious to one skilled in the art at the time of the invention to modify Ahmadi in view of Rode, such that investigation means is used and the NET ID address can be increased if no NET ID's are available, to provide automatic assignment of NET ID's and the ability to dynamically expand the network as it grows without complete network re-design.

As per **claims 5 and 11**, Ahmadi in view of Rode teaches claim 1/8 **but is silent on** further comprising a scrambler that performs scrambling processing on NET ID's.

Kakushi teaches scrambling of transmitted data which includes scrambling of the NET ID's.

It would have been obvious to one skilled in the art at the time of the invention to modify Ahmadi in view of Rode, such that data is scrambled, to provide security through encryption.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

1. Jacquet et al. US 6,483,852 teaches connecting network segments.
2. Semper et al. US 6,546,001 teaches MAC message acknowledgement.
3. Mahany US 5,960,344 teaches LAN with multiple channel wireless access.
4. Comroe et al. US 5,054,110 teaches multi-site dispatching system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 703-306-5426. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist on 703-306-0377.

Stephen D'Agosta

